

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

12-CR-6051L

v.

LLOYD HADLEY,

Defendant.

This Court referred all pretrial motions in this criminal case to United States Magistrate Judge Marian W. Payson pursuant to 28 U.S.C. § 636(b). Defendant moved to suppress statements that he allegedly made on the day of his arrest, February 12, 2012 (Dkt. #12). It appears that defendant made two statements: one at the scene of the arrest and another, later that same day, at the police station.

The Magistrate Judge conducted a suppression hearing and, at that hearing, the Government advised that it did not intend to offer evidence at trial as to the first statement but, that it did as to the second statement. The Magistrate Judge, therefore, focused on the second statement and, after the hearing, issued a Report and Recommendation, recommending that this Court deny the motion to suppress (Dkt. #24). The Magistrate Judge had articulated her findings orally from the bench at the conclusion of the hearing.

By letter dated October 26, 2012, counsel for Hadley advised this Court that the defense does not intend to file Objections to the Report and Recommendation.

CONCLUSION

This Court adopts and accepts the Report and Recommendation (Dkt. #24) of United States Magistrate Judge Marian W. Payson.

Defendant's motion to suppress statements made on February 12, 2012 at the police station are in all respects denied.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
November 5, 2012.